

UNITED STATES DISTRICT COURT
 for the
 Western District of Washington

In the Matter of the Search of
 (Briefly describe the property to be searched
 or identify the person by name and address)
 Premises located at 1312 55th St SW Everett,
 Washington 98203 et al.)
)
)
)
)
 Case No. MJ20-648

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

See Attachments A-1 and A-2, which are incorporated herein by reference.

located in the Western District of Washington, there is now concealed (identify the person or describe the property to be seized):

See Attachments B-1 and B-2, which are incorporated herein by reference.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

evidence of a crime;
 contraband, fruits of crime, or other items illegally possessed;
 property designed for use, intended for use, or used in committing a crime;
 a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

<i>Code Section</i>	<i>Offense Description</i>
18 U.S.C. 922(g)(1), 371, 545	Felon in Possession of a Firearm; Conspiracy; Smuggling
26 U.S.C. §§ 5861(d)	Unlawful Possession of a Firearm

The application is based on these facts:

See Affidavit of Special Shawn Galetti, continued on the attached sheet.

Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Pursuant to Fed. R. Crim. P. 4.1, this warrant is presented: by reliable electronic means; or: telephonically recorded.



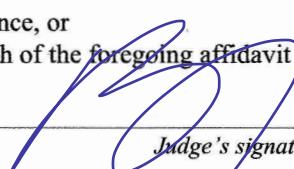
Applicant's signature

Shawn Galetti, HSI Special Agent

Printed name and title

The foregoing affidavit was sworn to before me and signed in my presence, or
 The above-named agent provided a sworn statement attesting to the truth of the foregoing affidavit by telephone.

Date: 10/08/2020



Judge's signature

Brian A. Tsuchida, Chief United States Magistrate Judge

Printed name and title

AFFIDAVIT OF SHAWN GALETTI

STATE OF WASHINGTON)
)
COUNTY OF KING)

I, Special Agent Shawn Galetti, having been duly sworn, state as follows:

AFFIANT BACKGROUND

1. I am a Special Agent with the U.S. Department of Homeland Security (DHS), Homeland Security Investigations (HSI), assigned to the Office of the Special Agent in Charge (SAC), Seattle, Washington. I have been employed as a Special Agent with HSI since 2007. I am currently assigned to the Counter-Proliferation Investigations (CPI) Group, where I investigate cases involving the illegal import and export of weapons and other items from the United States. I have received formal training at the Federal Law Enforcement Training Center in Glynco, Georgia. Based on my training and experience, I am familiar with the area of criminal law, firearms law, firearms training, rules of evidence and interview techniques. Through my years in law enforcement, I have gained knowledge and experience in conducting physical surveillance, interviewing witnesses, victims and suspects, writing affidavits for executing search and arrest warrants. I am also familiar with the manner in which individuals illegally acquire and import export-controlled merchandise from the United States to foreign countries and into the United States from foreign countries.

2. I make this affidavit in support of an application for a search warrant to search the premises located at 1312 55th Street SW Everett, Washington 98203 (the "SUBJECT PREMISES"). The SUBJECT PREMISES is further described in Attachment A-1 to this affidavit, which is incorporated herein by reference. The items to be seized are described in Attachment B-1, which is incorporated herein by reference.

3. I also make this affidavit to search the person of Justin Campbell for any smart phones, and to seize the items described in Attachment B-2 of this affidavit.

4. As discussed below, there is probable cause to believe that Justin Campbell, a convicted felon, resides at the SUBJECT PREMISES, and has one or more firearms stored at the SUBJECT PREMISES. In addition, there is probable cause to believe that Campbell has imported silencers, for delivery to the SUBJECT PREMISES. Finally, there is probable cause to believe that Campbell has ordered silencers using the internet, which he could have accomplished using a smart phone.

5. The facts set forth in this Affidavit are based on my own personal knowledge; information obtained from other individuals during my participation in this investigation, including other law enforcement officers; interviews of cooperating witnesses; review of documents and records related to this investigation; communications with others who have personal knowledge of the events and circumstances described herein; and information gained through my training and experience.

6. Because this Affidavit is submitted for the limited purpose of establishing probable cause in support of the application for a search warrant, it does not set forth each and every fact that I, or others, have learned during the course of this investigation.

RELEVANT LAW

7. Title 18, United States Code, Section 922(g)(1) prohibits a felon from possessing a firearm that traveled in interstate commerce. Under Title 18, United States Code, Section 921(a)(3)(C), the term “firearm” includes “any firearm muffler or silencer.” Under Title 18, United States Code, Section 921(a)(24), the “terms “firearm silencer” and “firearm muffler” mean “any device for silencing, muffling, or diminishing the report of a portable firearm, including any combination of parts, designed or redesigned, and intended for use in assembling or fabricating a firearm silencer or firearm muffler, and any part intended only for use in such assembly or fabrication.”

8. Title 26, United States Code, Section 5861(d), prohibits a person to receive or possess a firearm not registered to the person in the National Firearms Registration and Transfer Record. A silencer, as defined above, is a type of firearm under this provision.¹

9. Title 18, United States Code, Section 545, prohibits fraudulently or knowingly importing or bringing into the United States, any merchandise contrary to law.

10. Title 18, United States Code, Section 371 prohibits two or more persons from conspiring to violate federal law, and taking an overt act in furtherance of the conspiracy.

SUMMARY OF INVESTIGATION

A. The Seized Package

11. On August 18, 2020, Customs and Border Protection (“CBP”) inspected a package that had been shipped from China that was described as containing a “car solvent trap.” The shipper of the package was listed as: Tan Kai Xuan (LI JUN) with a shipping address of: Shen Zhen Shi Long Gang Qu Da Guang Kan Cun 4 Xiang 16 Hao 902, China. Phone: 18877970995. The package was addressed to Justin Campbell at the SUBJECT PREMISES.

12. The package did not contain a "car solvent trap." Rather, the package contained what appear to be two silencers.

13. On October 1, 2020, Special Agent/National Program Manager Mariusz Mazurek, with the HSI Trade and Transparency Unit, advised that CBP has seized approximately twenty packages from this shipper since August 2020. Of these packages, six contained suspected silencers and had been seized. Eleven of the packages were pending seizure but also contained suspected silencers and were still in the process of being formally seized. The three remaining packages were still pending an examination to determine the contents. The packages that contained suspected silencers all contained

¹ This affidavit uses the term "silencer" to refer both to the Title 18 and Title 26 provisions cited under this section.

1 misleading descriptions of what was being shipped, to hide the fact that silencers were
 2 being shipped.

3 14. Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) Special
 4 Agent Elliott Prose has reviewed pictures of the silencers that were seized that were being
 5 shipped to Campbell at the SUBJECT PREMISES. Special Agent Prose has received
 6 specialized training on firearms, which includes training on silencers. He also reviewed a
 7 report published by the ATF Firearms and Ammunition Technology Division's technical
 8 bulletin 20-01, which examined certain silencers shipped from China. The report
 9 concludes that the items, which contain multiple silencer baffles and end-caps with a
 10 center mark indicated, along with a spacer to create a "blast chamber" at the barrel end of
 11 the device, constituted silencers under federal law. Special Agent Prose concluded that
 12 the items ordered by Campbell appear to have the same essential features of the items
 13 described in the technical bulletin, and therefore appear to be silencers.

14 15. On October 6, 2020, Special Agent Prose confirmed that Justin Campbell
 15 does not have any items registered to him in the National Firearms Registration and
 16 Transfer Record.

17 16. According to a law enforcement database, Justin Campbell had seventeen
 18 previous mail packages originating in China that were addressed to the SUBJECT
 19 PREMISES, which were delivered and not examined by CBP. Not all mail shipments are
 20 captured in the database, and thus these results may not reflect all shipments sent to
 21 Campbell from China.

22 **B. Justin Campbell's Criminal History and Residence**

23 17. According to law enforcement records, Campbell has a 2004 felony drug
 24 conviction from the State of Georgia. As a convicted felon, Campbell is prohibited from
 25 possessing any firearms. On September 14, 2020, the Georgia State Board of Pardons
 26 and Paroles confirmed that the conviction remains valid. Campbell is currently the
 27 subject of multiple misdemeanor warrants, including for theft and possession of drug
 28 paraphernalia offenses.

1 18. According to Washington State Secretary of State records, Campbell
 2 opened a construction business with his girlfriend at the SUBJECT PREMISES on May
 3 28, 2019. The mailing location and physical location of the business is the same as the
 4 SUBJECT PREMISES and the record was updated on May 1, 2020. On September 10,
 5 2020, ATF Special Agent Elliott Prose drove by the SUBJECT PREMISES and observed
 6 a 2017 white Jeep Grand Cherokee registered to Campbell's girlfriend at the SUBJECT
 7 PREMISES. Special Agent Prose, while acting in an undercover capacity, spoke to a
 8 male exiting the garage of the SUBJECT PREMISES. Special Agent Prose confirmed
 9 the male was CAMPBELL and observed him enter the white Jeep Grand Cherokee and
 10 drive away. The parents of Campbell's girlfriend also appear to live at the SUBJECT
 11 PREMISES.

12 **D. Training and Experience**

13 19. Based on my training and experience, I know that persons who order items,
 14 even contraband, from overseas, often retain records relating to the order. I also know
 15 that persons who order silencers almost always purchase them to use with an existing
 16 firearm. I also know that persons typically store their own firearms in their personal
 17 residence and vehicles. Finally, I know, based on my training and experience, and
 18 discussions with Special Agent Prose, that the overwhelming percentage of firearms
 19 found in the State of Washington, were manufactured outside the State of Washington.

20 20. In addition, I have worked multiple investigations regarding the importation
 21 of silencers from China. I know that individuals in the United States order these items
 22 using the internet. Many individuals will use their phone to order the items. Thus, I seek
 23 authorization to seize any cell phones from the SUBJECT PREMISES that belong to
 24 Campbell, and to search Campbell's person for any cell phones belonging to him. I plan
 25 to have a forensic agent extract the web history from any phones seized, and to search the
 26 history for any silencers orders from China.

27 //

28 //

CONCLUSION

21. For the foregoing reasons, I seek authority to search the SUBJECT PREMISES and the person of Justin Campbell for the items described in Attachments B-1 and B-2 respectively.

**SHAWN GALETTI, Affiant
Special Agent, HSI**

The above-named agent provided a sworn statement attesting to the truth of the contents of the foregoing affidavit on the 8th day of October, 2020.

BRIAN A. TSUCHIDA
Chief United States Magistrate Judge

ATTACHMENT A-1
PREMISES TO BE SEARCHED

The premises to be searched is 1312 55th ST SW Everett, Washington 98203. The following is a picture of the premises:



The search is to include all rooms, vehicles, garages, and outbuildings located on the SUBJECT PREMISES.

ATTACHMENT A – 1
PREMISES TO BE SEARCHED

ATTACHMENT A-2
PERSON TO BE SEARCHED

This warrant authorizes the search of the person of Justin Campbell, the person associated with 1312 55th Street SW Everett, Washington 98203, and to seize any smart phones found on his person.

ATTACHMENT A – 2
PREMISES TO BE SEARCHED

ATTACHMENT B-1
ITEMS TO BE SEIZED

All documents and items reflecting evidence and/or fruits of the commission of the crimes of (1) felon in possession of a firearm, in violation of Title 18, United States Code, Section 922(g)(1); (2) unlawful possession of a firearm, in violation of Title 26, United States Code, Sections 5861(d); (3) conspiracy, in violation of Title 18, United States Code, Section 371, and (4) smuggling, in violation of Title 18, United States Code, Section 545, *i.e.*:

1. Any firearms, firearms parts, and ammunition;
2. Any silencers, firearms mufflers, and suppressors;
3. Any documents reflecting any purchases or shipments from Tan Kai Xuan or Li Jun.
4. Any packages shipped directly from China.
5. Documents sufficient to show dominion and control of the premises and areas searched.
6. Smart phones belonging to Justin Campbell may be seized, and searched for the following items:
 - a. Assigned number and identifying telephone serial number (ESN, MIN, IMSI, or IMEI);
 - b. Stored list of recent received, sent, and missed calls;
 - c. Stored contact information;
 - d. Internet history and stored internet information pertaining to the ordering of any silencers.

ATTACHMENT B – 1
ITEMS TO BE SEIZED

ATTACHMENT B-2
ITEMS TO BE SEIZED

All documents and items reflecting evidence and/or fruits of the commission of the crimes of (1) felon in possession of a firearm, in violation of Title 18, United States Code, Section 922(g)(1); (2) unlawful possession of a firearm, in violation of Title 26, United States Code, Sections 5861(d); (3) conspiracy, in violation of Title 18, United States Code, Section 371, and (4) smuggling, in violation of Title 18, United States Code, Section 545, *i.e.*:

1. Smart phones belonging to Justin Campbell may be seized, and searched for the following items:
 - a. Assigned number and identifying telephone serial number (ESN, MIN, IMSI, or IMEI);
 - b. Stored list of recent received, sent, and missed calls;
 - c. Stored contact information;
 - d. Internet history and stored internet information pertaining to the ordering of any silencers.

ATTACHMENT B – 2
ITEMS TO BE SEIZED